

**Notice of Allowability**

Application No.

09/706,063

Examiner

Paul L Rodriguez

Applicant(s)

SOLAN ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Continued Examination filed 9/22/04.
2. ☒ The allowed claim(s) is/are 21-25,27-30 and 33-36.
3. ☒ The drawings filed on 29 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892) •
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/22/04
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 21-25, 27-30 and 33-36 are presented for examination.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on 9/22/04 has been entered.

#### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 9/22/04 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Allowable Subject Matter***

4. Claims 21-25, 27-30 and 33-36 are allowed.
5. The following is an examiner's statement of reasons for allowance:

While WO 97/08628 (and Woolley et al (U.S. Pat 5,804,810)) disclose a system for monitoring the existence, location and status of items being transported or stored using an electronic tag and specifically teaches attaching tags to motor vehicles at a factory to monitor each vehicle and record departures.

WO 97/50057 and JP 2000142926A disclose systems and methods for monitoring the transportation of goods.

Solan et al (U.S. Pat 6,789,729) disclose a method for receiving and shipping vehicles that discloses receiving vehicles at a storage facility for storing vehicles prior to shipment, storing the vehicle within the storage facility at a stored location, placing a selectively readable tag on the stored vehicle, wherein the selectively readable tag operatively identifies the stored location of the vehicle within the storage facility and the shipping status of the stored vehicle, saving the stored location of the stored vehicle within the storage facility and the shipping status in a computer database operatively in communication with the selectively readable tag, identifying a stored vehicle to be repaired, updating the shipping status of the stored vehicle to be repaired on the selectively readable tag and in the computer database to prevent shipment of the stored vehicle, dynamically locating the stored vehicle to be repaired within the storage facility by operatively reading the selectively readable tag and updating the shipping status of the vehicle on the selectively readable tag and the computer database to release the repaired vehicle for shipment from the storage facility.

Ehrman et al (U.S. Pub 2001/0037298) discloses a method of identifying and locating a vehicle to be repaired (preparing for renting considered repairing) that is stored in a storage facility for storing vehicles prior to release (considered the same as shipment), comprising the steps of receiving an assembled vehicle at the storage facility for storing vehicles prior to release, storing the vehicle within the storage facility, placing a selectively readable tag on the vehicle, wherein the tag operatively identifies the stored location of the vehicle within the storage facility, saving the stored location of the vehicle within the storage facility in a computer database operatively in communication with the selectively readable tag, identifying a vehicle to be repaired using the computer database, updating the release status of the vehicle to be repaired in the computer database to prevent release of the vehicle, dynamically locating the vehicle to be

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repaired within the storage facility by operatively reading the selectively readable tags, performing the repair to the vehicle, and updating the release status of the vehicle in computer database to release the vehicle from the storage facility after the vehicle is repaired.

Worger et al (U.S. Pat 5,664,113) discloses a method of identifying and locating a vehicle to be repaired that is stored in a storage facility for storing vehicles prior to shipment, said method comprising the steps of receiving an assembled vehicle at the storage facility for storing vehicles prior to shipment, storing the vehicle within the storage facility, placing a selectively readable tag on the vehicle, wherein the tag operatively identifies the stored location of the vehicle within the storage facility and a status of the vehicle, saving the stored location of the vehicle within the storage facility and the status in a computer database operatively in communication with the selectively readable tag, identifying a vehicle to be repaired using the computer database, updating the status of the vehicle in the computer database to prevent shipment of the vehicle, dynamically locating the vehicle to be repaired within the storage facility by operatively reading the selectively readable tags, performing the repair to the vehicle, and updating the status of the vehicle in the computer database to release the vehicle for shipment from the storage facility after the vehicle is repaired.

Janman (U.S. Pat 6,163,278) discloses a method of identifying and locating a vehicle to be repaired that is stored in a storage facility for storing vehicles prior to shipment, said method comprising the steps of receiving an assembled vehicle at the storage facility for storing vehicles prior to shipment, storing the vehicle within the storage facility, placing a selectively readable tag on the vehicle, identifying a vehicle to be repaired using the computer database, dynamically locating the vehicle to be repaired within the storage facility by operatively reading the selectively readable tags and performing the repair to the vehicle.

Stewart et al (U.S. Pat 5,058,044) discloses a method of identifying a vehicle to be repaired that is stored in a storage facility for storing vehicles, receiving an assembled vehicle at the storage facility for storing vehicles, storing the vehicle within the storage facility, placing a selectively readable tag on the vehicle, wherein the tag operatively identifies the vehicle and a status, saving the vehicle information and status in a computer database operatively in communication with the selectively readable tag, identifying a vehicle to be repaired using the computer database, updating the status of the vehicle to be repaired in the computer database, performing the repair to the vehicle, and updating the status of the vehicle in the computer database after the vehicle is repaired.

While none of these reference taken either alone or in combination with the prior art of record disclose a method of identifying, locating, and recording information about a vehicle to be repaired, specifically including:

(Claim 21, 29) “wherein the selectively readable tag operatively identifies the stored location of the vehicle within the storage facility and a shipping status of the stored vehicle”, “updating the shipping status of the stored vehicle to be repaired on the selectively readable tag”, and “updating the shipping status of the repaired vehicle on the selectively readable tag”,

(Claim 35) “assigning a shipping status indicator to the stored vehicle that is electronically stored on the tag”, “updating the shipping status indicator of the stored vehicle to be repaired on the selectively readable tag”, and “updating the shipping status indicator on the selectively readable tag after the stored vehicle to be repaired is repaired”,

in combination with the remaining elements and features of the claimed invention. It is for these reasons that the applicant’s invention defines over the prior art of record.

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6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul L Rodriguez whose telephone number is (571) 272-3753. The examiner can normally be reached on 6:00 - 4:30 T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul L Rodriguez  
Primary Examiner  
Art Unit 2125

PLR  
10/26/04